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August 11, 2016

VIA U.S. MAIL & E-MAIL at drawls@fec.gov & jjordan@fec.gov

Jeff Jordan
Donna Rawls
Federal Election Commission
Office of Complaints Examination and Legal Administration
999 E Street, NW
Washington, DC 20436

Re: MUR 7059
Response is on behalf of HRV PAC

Dear General Counsel,

This letter is in response to Mr. Tu Nguyen's falsely alleged accusations against Human Rights for Vietnam Network Political Action Committee (HRV PAC). We give our condolences for Mr. Nguyen's tragedy. However, Mr. Nguyen's allegations against HRV PAC are untrue.

Mr. Nguyen attempts to label Viet Tan as an illegal organization. Mr. Nguyen has failed to prove that Viet Tan is an illegal organization. The only country that treats the Viet Tan as an illegal organization is Vietnam and that is due to Viet Tan speaking out against the dictatorship communist government regime of Vietnam. After reviewing Mr. Nguyen's complaint, it is clear that he has a personal vendetta against the Viet Tan, but that is of no concern to HRV PAC.

Mr. Nguyen had discussed the following: 1) money collected by HRV PAC are being sent to Viet Tan; 2) alleged contributions to Representative Sanchez for the purposes of political influences; 3) connections between HRV PAC and Viet Tan; 4) and allegations of unreported revenues. Mr. Nguyen's allegations are convoluted, but this letter will attempt to respond to his allegations. This letter will also address the supplemental allegations that Mr. Tu Nguyen has provided in late July.

**MONEY COLLECTED BY HRV PAC ARE BEING SENT TO HUMAN RIGHTS
ACTIVISTS REGARDLESS OF THEIR POLITICAL AFFILIATIONS**

HRV PAC's contributions are given to Human Rights Activists. HRV PAC does not consider

whether any of the activists it has sent monetary contribution to are in fact Viet Tan members, or members of any other organizations. HRV PAC sends money to people who are human rights activists, regardless of their political affiliations. A list of Human Rights Activists who are imprisoned in Vietnam was given by and compiled from Human Right Watch, Human Right Network for Vietnam, US human rights reports, various similar Human Rights organizations and individuals. These lists are given to Phu Do Nguyen and other board members, to which a number of individuals are chosen from this list of activists based on financial needs. The list does not label which Human Rights Activist are Viet Tan members. In addition, the list is not an exclusive source as to who is selected to receive contributions but base on their needs and necessity.

Enclosed as **Exhibit 1**, is a signed declaration of Phu Do Nguyen which states that the HRV PAC sends money to human rights activist and not because they are Viet Tan members. HRV PAC contributes money to human rights activists and does not discriminate on the basis of their political affiliation as long as they promote human rights. There is nothing illegal about this.

ALLEGED CONTRIBUTIONS TO REPRESENTATIVE SANCHEZ FOR THE PURPOSES OF POLITICAL INFLUENCES

The PAC has contributed money to many federal elected candidates who agree to promote human rights issues in Vietnam, including Loretta Sanchez. The PAC has contributed money to her because she has promoted human rights issue as a forefront issue in dealing with Vietnam and encourage her to assist, influence others members in passing legislation affecting Vietnam. In fact, the PAC only contribute money to those congress members who promote human rights value before trading with Vietnam.

The United States laws do not prohibit PACs from trying to influence federal or state candidates. That is the reason why PACs are established. There is nothing different from what HRV PAC is legally doing compared to the other PACs in the United States. Therefore, Mr. Nguyen has failed to show that any actions by HRV PAC for Representative Sanchez were improper.

THERE ARE NO PROOF THAT VIET TAN IS AN ILLEGAL ORGANIZATION, OR HRV PAC AND VIET TAN ARE CONNECTED

Mr. Nguyen did not produce any evidence or indictment that would corroborate with his accusation that Viet Tan is an illegal organization. In Mr. Nguyen's complaint, Mr. Nguyen implies a connection between HRV PAC and Viet Tan. However, Mr. Nguyen only cites an article about "The Front" and nothing more to add to his theory that HRV PAC is connected to Viet Tan, a falsely alleged illegal organization. None of the board of directors on HRV PAC are Viet Tan members, but HRV PAC may have contributed money to some Viet Tan members in Vietnam, who are being held as prisoner of conscience in Vietnam because they are human rights activists. The PAC is free to associate itself with any organizations that it chooses.

ALLEGATIONS OF UNREPORTED REVENUES

Mr. Nguyen raised a concern in his Complaint regarding a SBTN Fundraiser held on May 12, 2013. The fundraiser was not a SBTN fundraiser, but rather a HRV PAC one. The PAC had contracted with SBTN to use its channel for the fundraiser. Additionally, the fundraiser was a live

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broadcasting of a telethon to benefit HRV PAC. During the broadcasting, callers would call the telethon to 'pledge' a donation. Operators would receive contact information from the callers and the amount the callers would pledge, but no money was ever processed at the time of the call. The estimated \$51,000 donations that Mr. Nguyen referenced were only pledges. It takes approximately two weeks to process the donations. The actual money that was received from the pledges would not be calculated until some time after. Mr. Nguyen's estimation of \$7,450.00 in donations was a result of him only calculating for three dates after the telethon was held. In addition, between the time of the telethon and the time it took to process all of the pledges, many pledges would change their mind or reduce the amount they would actually donate. See Exhibit 2, the Declaration of Rachel Tram who had helped processed the pledges in such fundraising events. .

Mr. Nguyen was quick to jump to conclusions that money was improperly recorded. Other than the one incident mentioned, Mr. Nguyen had failed to provide any other concrete evidence to reflect any misconduct. HRV PAC has always properly reported their contributions received and sent to the U.S. Treasury and the Federal Election Commission. Therefore, this allegation has no merit.

SUPPLEMENTAL ALLEGATIONS


In Mr. Tu Nguyen's supplement, he does not provide any new allegations but rather reiterates the fundraising issue. This issue was adequately explained in the previous section. His allegations regarding Mr. Phu D. Nguyen and Mr. Anh Tuan Nguyen does not provide any support to any of his previous allegations nor creates any new allegations. He only attempts to add a dramatic flair to which does nothing to support his position.

CONCLUSION

Mr. Nguyen forms his complaint by making convoluted conjectures, to which he has no hard proof for his unclear accusations of illegal activities. In addition, one of the sources he cites state a contradicting point of view. The PAC is free to associate itself with any organization. Viet Tan just happened to be an political organization which Mr. Tu has personal agenda against. Whatever the personal vendetta or agenda Mr. Nguyen has against certain members of Viet Tan, it is not the PAC's concern nor affairs. By associating with Viet Tan, or any organization to promote human rights for Vietnam, the PAC itself do not commit any illegal acts.

For the reasons stated above, this complaint should be dismissed for no merits.

Sincerely yours,
DO PHU & ANH TUAN P.L.C.



David Dang, Esq.

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EXHIBIT 1

DECLARATION OF PHU DO NGUYEN

I, Phu Do Nguyen declare:

I am part of the Board of Directors for Human Rights Vietnam Political Action Committee ("HRV PAC").

Activists that are chosen to receive contributions from HRV PAC come from a list of Human Rights Activists and does not denote any political affiliations.

Lilly Nguyen is not associated to HRV PAC and her actions do not represent that of HRV PAC.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

DATED: August 10, 2016

BY: 

Phu Do Nguyen

EXHIBIT 2

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DECLARATION OF RACHEL TRAM VO

I, Rachel Tram declare:

I am handling the finances of Human Rights for Vietnam Political Action Committee:

The fundraising that is discussed by Mr. Tu Nguyen was misstated. During the telethon, callers would contact the telethon to pledge a donation. No money was actually donated until after the telethon. A second call would be made after the telethon, which resulted in some callers withdrawing their pledges or decrease their amount. The process in finalizing donations takes around two weeks after the telethon has ended.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

DATED: August 10, 2016

BY:



Rachel Tram Vo